IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 2132 of 2005

Between:

1 R.Gopi, S/o.Ramaswamy,
R/o.4-4-9, Peddapally, Karimnagar Dt.
2 N.Ramesh, S/o.Laxmaiah,
R/o.D.No.604, Gandhinagar, Godavari Khani, Karimnagar Dt.
3 J.Kumaraswamy, S/o.Ramachander,
R/o.H.No.499, Gandhinagar, Godavari Khani,
Karimnagar Dt.
4 G.Saibaba, S/o.Narasimhulu,
R/o.H.No.1074, Javaharnagar,
Godavari Khani, Karimnagar Dt.
5 V.Ravi, S/o.Rajaiah,
R/o.H.NO.501, Gandhinagar Godavari Khani,
Karimnagar Dt.
6 K.J.Steevenson S/o.Jasob,
R/o.H.No.4-3-186, Kamanwada, Peddapally,
Karimnagar Dt.
7 V.Swamy, S/o.Balaraju,
H.NO.1831, Rameshnagar, Godavari Khani,
Karimnagar Dt.
8 Md.Asif, S/o.Md.Yousuf,
H.NO.604, Gandhinagar, Godavari Khani, Karimnagar Dt.
9 K.Narsaiah, S/o.Parvatalu,
H.No.20-2-746/2, Gandhinagar, Godavari Khani,
Karimnagar Dt.
10 S.Ravi, S/o.Rajaram,
R/o.Illanthukunta, Karimnagar Dt.
11 R.Raju, S/o.Ramaswamy,
H.No.4-4-9, Peddapally, Karimnagar Dt.
12 Ch.Madhukar Reddy, S/o.Samireddy,
Mallareddipalle (V), Near Sub Jail,
Parakale, Warangal Dt.

..... PETITIONERS

AND

1 The Singareni Collories Co.Ltd. rep.by its Director (P&W)

Kothagudem.
2 The Singareni Collories Co.Ltd.rep.by its General Manager

(Personnel), Ramagundam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus; 1) declaring the action of the respondent authorities in not permitting the petitioners to appear for the written examination for the posts of fitters and electricians in the respondent company, as illegal, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India; and 2) directing the respondents authorities to consider the petitioners for appointment to the posts of fitters and electricians by giving preference by relaxing the age limit and other conditions and be pleased to pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.A.SUDERSHAN REDDY

Counsel for the Respondents: MR.NANDIGAM KRISHANA RAO

The Court at the stage of admission made the following:

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2132 of 2005

ORDER:

This writ petition is filed to declare the action of the respondent authorities in not permitting the petitioners to appear written examination for the posts of fitters and electricians in the respondent company, as illegal and arbitrary.

2. The learned counsel for the petitioners contended that the petitioners joined the respondent organization on promise that they will recruit the petitioners as and when the recruitment takes place. After they are waiting

fondly by doing private works in the respondent organization for a long period of 15 years, the notification was issued on 28-01-2005. But the respondents have not permitted the petitioners to attend written examination even though they have completed their apprenticeship in the year 1991-92 as fitters and electricians and as such a direction may be given to the respondents to permit them for attending written examination.

3. On the other hand, the learned Standing Counsel for the respondents, on instructions, submits that all the petitioners are over aged and therefore, the question of permitting them to attend the examination does not arise.

4. It may be a fact that the petitioners have passed Industrial Training Institute Course examinations and completed their apprenticeship in the year 1991-92 as fitters and electricians. But, completion of apprenticeship in the respondent organization does not confer any right to the petitioners for claiming appointment, and also the same cannot be taken as a ground for relaxing the age limit. It is not in dispute before this Court that the maximum age, in respect of Open Competition category is 29, so far as others category, there is 5 years age relaxation. However, the petitioners are over aged and on that ground they cannot be permitted to write the examinations and hence a direction by way of mandamus cannot be issued to the respondents to act contrary to the rules and regulations of the respondent Corporation.

5. Therefore, I am of the considered opinion that the writ petition is devoid of merit and is accordingly dismissed. No costs.

February 16, 2005

Kvr

To

1 The Director (P&W), Singareni Collories Co.Ltd.

Kothagudem.

2 The General Manager (Personnel), Singareni Collories Co.Ltd.

Ramagundam.

3 Two C.D copies.